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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 JOHN ROBERT DEMOS, JR.,

CASE NO. C22-1706JLR

11 Plaintiff,

ORDER

12 v.

13 WILLIAM BARKER, et al.,

14 Defendants.

15 Before the court are (1) *pro se* plaintiff John Robert Demos Jr.’s application for
16 leave to proceed *in forma pauperis* (“IFP”) (IFP App. (Dkt. # 1)); (2) Magistrate Judge
17 Theresa L. Fricke’s report and recommendation recommending the court deny Mr.
18 Demos’s IFP application and dismiss his proposed complaint with prejudice (R&R (Dkt.
19 # 2); *see* Prop. Compl. (Dkt. # 1-1)); and (3) Mr. Demos’s objections to the report and
20 recommendation (Obj. (Dkt. # 3)). Having carefully reviewed the foregoing documents
21 and the governing law, the court ADOPTS IN PART the report and recommendation.
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1 A district court has jurisdiction to review a Magistrate Judge's report and
2 recommendation on dispositive matters. Fed. R. Civ. P. 72(b). "The district judge must
3 determine de novo any part of the magistrate judge's disposition that has been properly
4 objected to." *Id.* The court has independently reviewed Mr. Demos's objections and
5 agrees, on de novo review, with Magistrate Judge Fricke's conclusions that (1) Mr.
6 Demos has failed to allege any nexus between his substantive claim regarding a plot to
7 kidnap or assassinate the President of the United States and any alleged "imminent
8 danger of serious physical injury" as required to proceed IFP under 28 U.S.C. § 1915(g);
9 and (2) Mr. Demos's proposed complaint is frivolous because it has no arguable basis in
10 law or fact. (*See generally* R&R; Obj.) The court, however, finds that Mr. Demos's
11 proposed complaint should be dismissed without prejudice in accordance with 28 U.S.C.
12 § 1915(g) and standing bar orders. *See In re John Robert Demos*, MC91-269CRD (W.D.
13 Wash. Jan. 16, 1992); *In re Complaints and Petitions Submitted by John Robert Demos*
14 (W.D. Wash. Dec. 15, 1982).

15 Accordingly, the court ORDERS as follows:

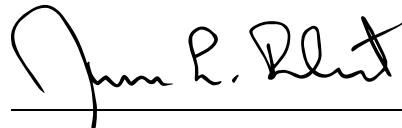
- 16 1. the report and recommendation (Dkt. # 2) is ADOPTED IN PART;
- 17 2. Mr. Demos's IFP application (Dkt. # 1) is DENIED; and
- 18 3. Mr. Demos's proposed complaint (Dkt. # 1-1) is DISMISSED without
19 prejudice.

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1 Dated this 3rd day of January, 2023.

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4 JAMES L. ROBART
United States District Judge